



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,067	01/05/2001	Akira Matsubara	SON-2002	2134
23353	7590	01/24/2006	EXAMINER	
RADER FISHMAN & GRAUER PLLC			CHOW, MING	
LION BUILDING			ART UNIT	
1233 20TH STREET N.W., SUITE 501			PAPER NUMBER	
WASHINGTON, DC 20036			2645	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/754,067

Applicant(s)

MATSUBARA ET AL.

Examiner

Ming Chow

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,9-14,16-20 and 22-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,9-14,16-20 and 22-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. The cited prior art, Calder et al, is antedated by the claimed benefit of foreign priority.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 10-12, 17, 22, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook (US: 6853987), in view of Inohara et al (US: 6256747), and further in view of Ranzino (US: 6281811).

Regarding claims 1, 3, 10, 11, 22, Cook teaches on Fig. 1, line connections between terminal devices.

Cook teaches on column 10 line 10-19, Fig. 1 and Fig. 3, the site 80 (claimed "information supply means") supplies information to the customer computer via the network.

Cook teaches on item 18 Fig. 1, authorization system (claimed “privilege assignment means”).

Cook failed to teach “communication management means” and “information distribution means”. However, Inohara et al teach on Fig. 1, a network server with a client request management section and a server management section (items 100 and 102 Fig. 1; claimed “communication management means”). Inohara et al teach on column 6 line 11 to column 7 line 64, the server distributes (claimed “information distribution means”) information to the client.

It would have been obvious to one skilled at the time the invention was made to modify Cook to have the “communication management means” and “information distribution means” as taught by Inohara et al such that the modified system of Cook would be able to support the system users conveniences of managing communications and distributing information via a network server.

Cook failed to teach “keyword extraction means” and “selects distribution information based on a keyword extraction result”. However, Ranzino teaches on column 4 line 38-41, the keywords are identified (reads on claimed “keyword extraction means” by the voice recognition so that the resource corresponding to the user’s request is determined).

It would have been obvious to one skilled at the time the invention was made to modify Cook to have the “keyword extraction means” and “selects distribution information based on a keyword extraction result” as taught by Ranzino such that the modified system of Cook would be able to support the system users conveniences of better recognizing speech by extracting keywords in order to determine the requested information.

Regarding claims 2, 25, 12, Cook teaches on column 10 line 51 to column 12 line 40, after the customer entering the account number and selecting the Access or Activate Account option (reads on claimed “confirmed to have been browsed or viewed” the supplied information on Fig. 3) the authorization is verified (claimed “assigns a privilege”).

Regarding claim 4, Cook teaches on column 4 line 41, wireless telephones.

Regarding claim 17, rejections as stated in claims 1 and 2 above apply.

3. Claims 5, 13 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook, in view of Inohara et al, and in view of Ranzino, and further in view of Tatsumi et al (US: 5757788).

Regarding claims, 5, 19, Cook in view of Inohara et al, and in view of Ranzino as stated in claim 3 above failed to teach “temporarily suspending the communication while communication terminal device is communicating”. However, Tatsumi et al teach on column 4 line 6-11, personal station pauses conversation to transmit data.

It would have been obvious to one skilled at the time the invention was made to modify Cook in view of Inohara et al, and further in view of Ranzino to have the “temporarily suspending the communication while communication terminal device is communicating” as taught by Tatsumi et al such that the modified system of Cook in view of Inohara et al, and in view of Ranzino would be able to support the system users conveniences of distributing information while communication is suspended.

Regarding claim 13, rejections as stated in claims 4 and 5 above apply.

4. Claims 6, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook, in view of Inohara et al, and in view of Ranzino, and further in view of Cruickshank (US: 6704294).

Regarding claim 6, Cook in view of Inohara et al, and in view of Ranzino failed to teach “distributes the information in parallel with voice information”. However, Cruickshank teaches on column 2 line 32-42, data and voice information are transmitted in parallel.

It would have been obvious to one skilled at the time the invention was made to modify Cook in view of Inohara et al and further in view of Ranzino to have the “distributes the information in parallel with voice information” as taught by Cruickshank such that the modified system of Cook in view of Inohara et al and further in view of Ranzino would be able to support the system users conveniences of transmitting data and voice in parallel.

Regarding claim 14, rejections as stated in claims 4 and 6 above apply.

5. Claims 9, 16, 23, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook, in view of Inohara et al, in view of Ranzino, and in view of Tendler (US: 6519463).

Regarding claim 9, Cook in view of Inohara et al and in view of Ranzino failed to teach “position detection means”. However, Tendler teaches on Fig. 2, a wireless phone with a GPS receiver.

It would have been obvious to one skilled at the time the invention was made to modify Cook in view of Inohara et al and in view of Ranzino to have the “position detection means” as taught by Tendler such that the modified system of Cook in view of Inohara et al and in view of Ranzino would be able to support the system users conveniences of detecting the position.

Regarding claims 16, 23, 24, rejections as stated in claims 9, 10 above apply.

6. Claims 18, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook, in view of Inohara et al, in view of Ranzino, and further in view of Miura (US: 6736726).

Cook in view of Inohara et al, in view of Ranzino as stated in claim 17 above failed to teach “recording and updating a distribution history”. However, Miura teaches on column 2 line 42-67, an information distribution system with history data and a control means to update the history data.

It would have been obvious to one skilled at the time the invention was made to modify Cook in view of Inohara et al and in view of Ranzino to have the “recording and updating a distribution history” as taught by Miura such that the modified system of Cook in view of Inohara et al and in view of Ranzino would be able to support the system users conveniences of recording and updating history data.

7. Claims 20, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook, in view of Inohara et al, in view of Ranzino, and further in view of Funasako (JP409233193).

Cook in view of Inohara et al and in view of Ranzino as stated in claim 17 above failed to teach “outputting a confirmation based on a voice input”. However, Funasako teaches a telephone set with voice confirmation function.

It would have been obvious to one skilled at the time the invention was made to modify Cook in view of Inohara et al and in view of Ranzino to have the “outputting a confirmation based on a voice input” as taught by Funasako such that the modified system of Cook in view of Inohara et al and in view of Ranzino would be able to support the system users conveniences of providing voice confirmation.

8. Claims 28-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook, in view of Inohara et al, in view of Ranzino.

The modified system of Cook in view of Inohara et al and further in view of Ranzino as stated in claim 1 above failed to teach “advertisement information”. However, the content of distributed information is a “Design Choice”.

It would have been obvious to one skilled at the time the invention was made to modify Cook in view of Inohara et al and in view of Ranzino to have the “advertisement information” such that the modified system of Cook in view of Inohara et al and in view of Ranzino would be able to support the system users conveniences of distributing advertisement information.

Conclusion

9. The prior art made of record and not replied upon is considered pertinent to applicant's disclosure.

- US: 6594347.

10. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (571) 272-7535. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks


Washington, D.C. 20231

Or faxed to Central FAX Number 571-273-8300.

Patent Examiner

Art Unit 2645

Ming Chow



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600